

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION

CLERK'S OFFICE U.S. DIST. COURT
AT LYNCHBURG, VA
FILED
for Charlottesville
DEC 27 2005

JOHN F. CORCORAN, CLERK
BY: *Fay Coleman*
DEPUTY CLERK

CYNTHIA B. EVANS,

Plaintiff,

v.

MEDTRONIC, INC.,

Defendant.

CIVIL ACTION No. 3:04CV00097

ORDER

JUDGE NORMAN K. MOON

For the reasons set forth in the accompanying Memorandum Opinion, it is hereby
ADJUDGED, ORDERED AND DECREED
as follows:

1. The Defendant's May 16, 2005 Motion to Exclude Plaintiff's Designated Experts Douglas Townsend, Ph.D. and David Urquia, M.D. shall be, and it hereby is, GRANTED with respect to Dr. Townsend. The Court makes no determination of this motion as to Dr. Urquia.
2. The Defendant's May 16, 2005 Motion for Summary Judgment shall be, and it hereby is, GRANTED;
3. The Magistrate's Report and Recommendation of August 23, 2005, shall be, and it hereby is, REJECTED;
4. This action shall be, and it hereby is, DISMISSED and STRICKEN from the active

docket of this Court.

The Clerk of the Court is hereby directed to send a certified copy of this Order to all counsel of record and to Magistrate Judge Crigler.

ENTERED: Nann E. Mason
United States District Judge

December 27, 2005
Date